UNITED STATES PENSION LAWS.

A Comprehensive Digest of Pension Legislation From the Foundation of the Government.

Copyrighted, 1904, by THE NATIONAL TRIBUNE.

THE GENERAL LAW.

ders and sailors dying from causes at-tributable to the service and line of duty, was contained in the act of July 14, 1862. Mothers and sisters were then provided for; fathers and brothers not being included until the act of June 6, 1866. The act of July 27, 1868, fixed the order of indicated in section 4707, Revised Statutes, title as follows: Mothers, fathers, then as above. brothers and sisters jointly. As embodied in section 4707. Revised

Statutes, the foregoing legislation is as fol-"Sec. 4707. If any person embraced within the previsions of sections 4692 and 4693 has died since the 4th day of March, 1861, or shall hereafter die, by reason of any wound, injury, casualty, or disease, which, under the conditions and limitations which, under the conditions and limitations would have entitled him.

So If the mother of the general law, at the time of his death, through having remarked, the brothers and sisters of the deceased would be entitled as though no mother survived him.

Brothers and sisters of the half blood are equally entitled with those of the ganized and mustered into the United States are service for three months for the dewhich, under the conditions and limitations of such sections, would have entitled him to an invalid pension, and has not left or whole blood, and whether legitimate or shall not leave a widow or legitimate child, but has left or shall leave other relative or relatives who were dependent upon him for support in whole or in part at the date of his death, such relative or relatives shall be entitled, in the following order of precedence, to receive the same pension of precedence of person would have been entitled. namely: First, the mother; secondly, the father; thirdly, orphan brothers and sisters under 16 years of age, who shall be pensioned jointly: Provided, That where orphan children of the same parent have fixed by section 4707, Revised Statutes, at ters under 16 years of age, who shall be pensioned jointly: Provided, That where different guardians, or a portion of the monly are under guardianship, the share of the joint pension to which each ward shall be entitled shall be paid to the guardian of such ward: Provided, That if in any case said person shall have left father and mother who are dependent upon him, then, on the death of the moth-

is now no advantage in making applica-tion under the general law, as above, un-vide, be placed upon the list of invalid less the soldier was a commissioned officer pensioners of the United States, and be when the disability to which his death is entitled to receive a pension not exceed-

Brothers and sisters, however, are efitled only under the law as above, and just therefore show dependence on the oldier or sailor at the date of his death.

PRESENT DEPENDENCE OF PARENT. The act of June 27, 1890, amended the neral law as to parents of soldiers and

Sec. 1. That in considering the pension plaims of dependent parents, the fact of rent or parents are without other presmeans of support than their own manal labor or the contributions of others not legally bound for their support: Provided. That all pensions allowed to deendent parents under this act shall commence from date of the filing of the apdication hereunder and shall continue no 30, 1900, were issued by the Secretary of

As to the above enactment, a decision rendered Dec. 8, 1894, says:
"Section 1 of the act of June 27, 1890, must be construed in connection with section 4707. R. S., and the words other present means of support' are held to mean 'other present means of adequate support." (7 P. D., 420.)

Pension title of dependent parents is heid to be derived only from the general law as amended by the act of June 27, 1890, section 1. The act of June 27, 1890, did not confer pension title on dependent parents separate and distinct from the general law, but merely amended the general law as to them. (10 P. D., 244, June

NINETY DAYS' SERVICE NOT REQUIRED. Though the foregoing amendment of the general pension law as to parents was a part of the act of June 27, 1890, the provision as to service of "ninety days or more " during the late war of the rebellion," contained in said ct, has no reference to parents' ciaims, but only to the claims made thereunder of soldiers and sailors of the late war, their widows and children.

REMARRIAGE. Section 4708, Revised Statutes, embodying various enactments, provides as fol-

"Sec. 4708. The remarriage of any dependent mother, or dependent sister, entitled to pension shall not bar her right to such pension to the date of her marriage, whether an application therefor was filed before or after such marriage; but on the remarriage of any sister, having a pension, such pension shall

In claiming under the general law alone (section 4707, Revised Statutes, as above), if the mother remarried subsequent to her the date of the son's death to the date of

of parents of a colored soldier was rati-The first pension provision for dependent parents, brothers and sisters, of solders and sailors dying from causes at hence the dependent father is not entitled

> BROTHERS AND SISTERS Brothers and sisters are not entitled under the act of June 27, 1890, but only as

Their title under the general law is held not to be affected by the support of a step-father or his ability to support them. So if the mother of the soldier or sailor

as such person would have been entitled to had he been totally disabled, to commence from the death of such person, at date of filing application.

The act of March 19, 1886, amended section 4707, Revised Statutes, by providing that "dependent relatives now on the

ing \$12 per month and not less than \$6 per month, proportioned to the degree of inability to earn a support; and in determining such inability each and every infirmity shall be duly considered, and the aggregate of the disabilities shown be rated, and such pension shall commence from the date of the filing of the application in the Bureau of Pensions, after ailors dying of causes attributable to the the passage of this act, upon proof that service and line of duty, and provided as the disability or disabilities then existed, the passage of this act, upon proof that and shall continue during the existence of the same: Provided. That persons who tlaims of dependent parents, the fact of the soldier's death by reason of any wound, injury, casualty, or disease which, ander the conditions and limitations of extensions and limitations of extensions and the fact that the soldier is a soldier's death by reason of any laws, or whose claims are pending in the Bureau of Pensions, may, by application to the Consnissioner of Pensions, in such form as he may prescribe, showing them any alid pension, and the fact that the soldier's death by reason of any laws, or whose claims are pending in the Bureau of Pensions, may, by application to the Consnissioner of Pensions, in such form as he may prescribe, showing them. d pension, and the fact that the sol- selves entitled thereto, receive the benefits ier left no widow or minor children hav-ing been shown as required by law, it shall be so construed as to prevent any pensioner thereunder from prosecuting his claim and receiving his pension under at the other general or special act: Provided, however, That no person shall receive more than one pension for the same period: And provided further, That rank in the

> the Interior to the Commissioner of Pensions with respect to the new law:
>
> "In legal effect no change in meaning is wrought in section 2 by its amendment, the only purpose of which was to remove any remote justification for varying or diverse constructions of the section by the same or succeeding officers of the Pension Bureau, such as were represented to have occurred in the past. Giving attention now to that portion of the section which, in the original and amended forms, is expressed in somewhat different words, it is clearly commanded that each and every mental or physical infirmity of a per-manent character, not the result of the applicant's own vicious habits, shall be duly considered, and his right to a pen-sion and the rate thereof shall be deter-mined by the degree to which all of these infirmities, whether minor or serious, when considered together, render him unable to

service shall not be considered in applica-

The following instructions, dated June

earn a support by manual labor."

In the generality of its provision as to what classes or persons are entitled to invalid pension under the act, there is no parallel among the various other pension acts. The law says, "all persons " in the military or naval service." This several classes of persons specified in section 4093, Revised Statutes as entitled to invalid pension under the general law for disability incurred in service and line of duty. Thus, Contract Surgeons, and Provost-Marshals appointed under the act of March 3, 1863, where held entitled. But this is now held to be error; only officers- and enlisted men are regarded as entitled.

TERM OF SERVICE.

Section 4701, Revised Statutes is applicable in determing the period of service to have been the requisite "90 days or

more. A drafted man or substitute, not asson's death, the application must have been filed before July 1, 1880 (see "Arduty, is held (12 P. D., 466), not to have rears of Pension"), to entitle her to any pension, and then only for the period from meaning of the act of June 27, 1890, and

supplies for Fort Sumter, was fired on by the robel batteries in Charleston Harbor and compelled to return to New York without fanding her troops and cargo.

The Supreme Court, in a case "The Protector," 12 Wallace, 700), involving the question as to during what period the running of the statute of limitations against a debt due in a lately rebelious said make dispositions for attack, held that for this purpose the war was to be regarded as having begun April 19, 1801, and ended Aug. 20, 1896. The first-named date was that of the first proclamation of President Lincoln declaring the blockade of ports of the rebelious States.

The last-named date was that of the first proclamation of President Johnson that the said insurrection is at an end, and that peace, order, tranquillity and civing the proclamation of President Johnson that the said insurrection is at an end, and that peace, order, tranquillity and civing cleared the Space in his front, beginned to the United States.

When the content of the proclamation of President Johnson that the pr

ing reference to the other rebellious States

The War Department has adopted April 15, 1861, and Aug. 20, 1866, as the

States service for three months for the de-

A decision rendered by the Interior Department on January 14, 1892 (5 P. D.,

258), held that for pensionable purpose the war begun March 4, 1861, and this view is affirmed by a decision rendered Sept. 9, 1897 (9 P. D.).

"1. Service under enlistments entered into in the loyal States after April 13, 1865, and in the disloyal States, Terri-

tories, and the District of Columbia after

performed in territory where the Rebel-lion had existed and had not been declared

at an end by proclamation of the Presi-dent. Such enlistments will be presumed

boat flotilla of the Navy near the actual

close of the war, is held to have served "in" the war, and therefore entitled to

be made between the earlier and later por-

(To be continued.)

ARMY OF THE POTOMAC. (Continued from first uage.)

to have reinforced the Army of the Potomas and organized reserves. But this was

the war-councils at Washington; and the

President, who had for the time being taken into his own hands the functions of General-in-Chief, gave one constant mot d'ordro—"take Yorktown,"—a command

er and Smith were at the same time sent

forward in support, and afterward the divi-sions of Kearny, Couch and Casey were put in motion. Gen. Sumner, the officer second in rank in the Army of the Potomac, was

ordered to the front to take charge of opera-tions, while Gen. McClellan remained be-

FLEEING REBELS TURN TO FIGHT.

sula below that point.

with the exception of Texas.

ense of the Capital.

Dec. 2, 1903, provides:

Tail came of predering the roads almost a greety in the left, and similar to the production of the left, and similar to the right is dispertition of the left, and similar to the right is dispertition of the left, and similar to the right is dispertition of the left, and similar to the right is dispertition of the left, and similar to the right is dispertition of the left, and similar to the left responsible for it, tunless he are positive in the right is dispertition. But to binned it was opened by Gen. However, the looker in from of Fort Magruder. He because in his front, he add a greater the successive state of the fort, and by 0 clock, sile need to remined attacks with the view of turning a right to suppose that he would be termined attacks with the view of turning in the result. We have to the communication with the York town road, on which fresh troops were to come up; yet, notwithstanding the repeated of the right of the result was that some of his saltenteed brigades were to color communication with the York town road, on which fresh troops were to color communication with the York town road, on which fresh troops were to color communication with the York town road, on which fresh troops were to color communication with the York town road, on which fresh troops were to color compelled to engage the enemy during the whole day; and, between 3 will be sorely needed, none came.(15). He was the work colly and the product of the right of the whole day; and, between 3 will be result was that some of his saltered brigades were were the sorely make the work colly and the result was that some of his saltered brigades were were the tendent of the right of the road of the result was the road of the right of the road of th Order No. 77 of the Commissioner of Pensions, dated Nov. 30, 1903, and ap-proved by the Secretary of the Interior

Kearny took up his division at the double-quick, attacked spiritedly, reestablished the line, and enabled Hooker's wornout troops to withdraw. Hooker lost 1,700 men.

reinforcements he had repeatedly and urgently sent for, got a message from Gen. Sumner, instancing him to fall back to his first position. (10) Hancock, appreciating the commanding importance of his position front of Richmond. On the next day in front of Richmond. On the next day in front of Richmond. summer, instabiling him to fall back to his first position. (10) Hancock, appreciation, delayed floing so as long as possible. But about 5 o'clock, seeing that the Congelected the two redoubts from which they had reoccupied the two redoubts from they had reoccupied the two redoubts from which they were threatening both his flanks, he refired his troops behind, the crest. Here he formed his line with about 1,600 men, being determined to remain. Waiting till the advancing enemy got below the rise of the davancing enemy got below the rise of the fill, and within 30 paces, he ordered a general charge. This was executed in a very spirited measurement of the Monitor. Galang Acceptance of the Monitor of May, and within the doctor. "I offer a course of them take your treatment I realized that I was on the brink of the grave. "Staff the doctor. "I fell blue, despondent and displayed the intended to remain consequence of the evacuation of Norfolk was the destruction of the Meritance of the evacuation of Norfolk was the destruction of the Monitor. This is only one of a large number of similar letters that I have received," said the reporter. "Yes," said pension under the act of June 27, 1890, notwithstanding that the conclusion of the requisite 90 days' service carried him into July, 1865. The entire period being served on the vessels of the gunboat flotilla, which was distinctly a war of the rebellion division of the Navy, and the character of service in April, May and June being substantially identical with that in July, it is declared that no distinction may be made between the earlier and later por-James to Richmond, was on the following he formed his troops behind the crest. Here he formed his like with about 1,600 men, being determined to remain. Waiting till day blown up by order of her commander, the advancing enemy got below the rise of the hill, and within 30 paces, he ordered a general charge. This was executed in a very spirited manner; a few of the enemy who had approac ed nearest were bayoneted; (20) the rest broke and fied in all directions, and the Contederate flanking force, finding their center routed, also beat a hasty retreat. (21) Shortly after the action was decided, Gen. Smith, by order of Gen. McCiellan, who had reached the front, and appreciated the front, and appreciated the front, and appreciated brought up strong reinforcements. At the same time the firing ceased in front of Fort Magruder, and the troops, wet, weary and hungry, rested on their arms. But Williamsburg was really won, for Hancock, but the same time the firing ceased in front of Williamsburg was really won, for Hancock, but the same time the firing ceased in front of Williamsburg was really won, for Hancock, but the same time the firing ceased in front of Williamsburg was really won, for Hancock, but the same time the firing ceased in front of Williamsburg was really won, for Hancock, but the same time the firing ceased in front of Williamsburg was really won, for Hancock, but the same time the firing ceased in front of Williamsburg was really won, for Hancock, but the same time the firing ceased in front of Williamsburg was really won, for Hancock, but the same time the firing ceased in front of Williamsburg was really won, for Hancock, but the same time the firing ceased in front of Williamsburg was really won, for Hancock, but the same time the firing ceased in front of the common of the content of the cotton make this great discovery subtileters that I have general decore. "It was not these events, however, that determined McCiellan's line of advance on the Union guite the time that I have been edited the doctor. " and hungry, rested on their arms. But Williamsburg was really won, for Hancock held the key of the position; and during the night, Longstreet retired to join the body of Johnston's army, now rapidly marching toward the Chickahominy. (22)

that reminds one of the story in Spanish history which runs in this wise: "When the reports of these matters reached Philip IV., he was disposed to entertain some prejudice against his General, and took on himself to give his own direction for the FRANKLIN CHEERED war, without consulting Spinola. His majesty directed that Breda should be bewas needful to make many preparations for an operation of that magnitude, the king sat down and wrote this laconic order to his General: 'Marquis, take Breda. I, the King' (Yo, el Rey)."

If Yorktown was at length taken without a combat and without blood, it was not without severe and exhausting labors in the siege. The victors the was represented that it was going on Gen. Franklin was embark-ing his division for the purpose of ascending the York River by water. This was accomplished on the following day and on the disembarkation of his division opposite West Point, on the right bank of the Pamunkey, a short distance above where the river empties into the right bank of the Pamunkey. While the action before Williamsburg tempting to advance, Franklin was met by the Confederate Division of Whiting, whose siege. The victory, though apparently barpresence, and a spirited attack of Hood's Division had just been disembarked from Texas Brigade, served to hold Franklin the transports, so that reembarkation was ren, was really more substantial than it seemed; and had Gen. Johnston, in place

of becoming alarmed at the preparations in check.

against him, determined to fight it out on the line of the Warwick, there is little

The o SOME OF THE MISTAKES MADE. The operations here described, constituting the pursuit of the Confederates (which really ended at Williamsburg), are open to criticism. The pursuit was made on two lines, by land and by water, and Johnston skilfully disposed his echelons to meet both advances. The move by water, doubt that he might have prolonged the Meantime the morale of the Union army was excellent; and the road to Richmond being now opened the troops turned their faces hopefully towards the Capital of the Confederacy. meet both advances. The move by water, which was the most promising, since it menaced the enemy's flank, was not made FROM YORKTOWN TO THE CHICKAHOMINY. in sufficient force, and presented merely the character of a detachment on the Con-federate rear—a species of operation which Upon the discovery of Johnston's withdrawal from Yorktown, all the available cavalry, together with four batteries of horse-artillery, under Gen. Stoneman, was

sey Brigade, and then reinforced.

15. It is due to mention, however, that, about 1 o'clock, Peck's Brigade came up and took position on Hooker's right, and, being reinforced by Devin's Brigade, held the center of the Union line with smuch the center of the Union line with much firmness against several attacks. Couch: Report.

16. Hooker: Report of Williamsburg

hind at Yorktown to arrange for the de-parture of Franklin's Division by water to West Point. By this move it was expected to force the Confederates to abandon what-16. Hooker: Report of Williamsburg. During the action, five guns of Webber's Battery (its support being withdrawn for service on the left) fell into the hands of the enemy. 3.11

17. Davidson's Brigade was also under Hancock's command at this time, and he detailed for the movement, from his own brigade, the 5th owns. 49th Pa., and 6th Me; and from Dridson's Brigade, the 7th Me, and 33d N. Y. To these were attached ever works they might have on the Penin-Stoneman met little opposition till he reached the enemy's prepared position in front of Williamsburg, 12 miles from York-town. The Peninsula here contracts, and the approaching heads of two tributaries of the York and James Rivers form a kind detailed for the movement, from his own brigade, the 5th Wis., 49th Pa., and 6th Me; and from Dividson's Brigade, the 7th Me. and 33d N. Y. To these were attached Lieut. Crowen's New York Battery of six

WHITE HOUSE BECOMES A BASE.

On the retreat of the Confederates from to withdraw. Hooker lost 1,700 men.

ILANCOCK STOLE REBEL REDOUBTS.

While, during the movning, the fight thus waxed hot in front of Fort Magruder, the troops on the right, composed exclusively of Gen. Smith's Division, had not engaged the enemy; but, toward noon, Sumner ordered Gen. Smith to send one of his brigades to occupy a redoubt on the extreme right, said to be evacuated by the enemy. For this purpose, Hancock's Brigade was selected (17) Making a wide detour to the right, which brought him within sight of the York River, Hancock passed Cub Dam Creek on an old mill-bridge, and Williamsburg, the Army of the Potomac

James: for the former course had already been dictated to him by antecedent circumstances. Before the destruction of the Mer-rimac had opened the opportunity of swinging across to the James, the army was already well en route by the York and Pamunkey, under injunctions to push forward on that line for the purpose of uniting with a column under McDowell, which was about

necessary, and it did not start till the morning of the 6th, and did not make the landing near White House till the morning of tal, 21. 24. Schalk: Campaigns of 1862-'3, p. 169. 25. Barnard: Operations. p. 63. 26. The precise loss was 2,228 killed. wounded and missing.

27. It will thus appear that it required

wounded and missing.

27. It will thus appear that it required two weeks for the march of 50 miles from White House to the Chickahominy. Regarded as a pursuit of the enemy, this was certainly tardy. But the nature of McClellan's operation can hardly be so defined. His ultimate aim was directed against Richmond, and he expected that McDowell's Corps would make a junction with him. His operations were necessarily of a somewhat methodical character, and he was forced to open up a new base, and form depots of supplies. Besides, the roads were bad beyond all precedent. This tardiness has not escaped the censure of the 13. Batteries of Webber and Bramhal.

14. Held at first by Patterson's New Jeriey Brigade, and then reinforced.

15. It is due to mention, however, that,

McDowell's Corps would make a junction

McDowell's coverations were necessarily of a somewhat methodical character, and he was forced to open up a new base, and form depots of supplies. Besides, the roads were bad beyond all precedent. This tardiness has not escaped the censure of the Committee on the Conduct of the War, who, without admitting any mitigating circumstances, thus deliver verdict: "The distance between Williamsburg and the line of operations on the Chickahominy was from 40 to 50 miles, and the army was about two weeks in moving that distance." (Report on the Conduct of the War, vol. i, p. 20.) But perhaps military men may be p. 20.) But perhaps military men may be disposed to dispute the justness of the judgment of a body of strategists with whom the Chickahominy figures as a "line"

DOES THIS MAN POSSESS?

(Special Correspondence.)

NEW YORK.—Dr. Wallace Hadley, a well-known professor of chemistry of this city, has undoubtedly made the most sensational discovery of the age. Call it divine power, science or whatever you will, the fact remains that in a single night, so to speak, he has completely upset modern medicine, defied all known laws of nature and utterly dumfounded scientists and medical men. Physicians have sought out their worst cases and taken them to him, thinking they might find one he could not cure. They admit that all their own remedies are but bread pills as compared with the remarkable discovery of this wonderful man. He has already down. I suffered untold agonics. I often felt that death would be a welcome relief. I am confident that you sayed my life, and had it not been for your marvelous treatment I should to-day be cold in my grave. I write this letter for the good of humanity, that others may be induced to try the wonderful treatment that has cured me. "Do physicians take your treatment?" asked the reporter.

"They certainly do," said the doctor. "I am confident that you sayed my life, and that others may be induced to try the wonderful treatment that has cured me." "Do physicians take your treatment?" asked the reporter.

"They certainly do," said the doctor. "I am treating a large number now. Of course, they would not want you to publish their near their letters. You can read what they say. I eure them when all their own remedies fail. I have demondiscovery of the age. Cali it divine power, science or whatever you will, the fact remains that in a single night, so to speak, he has completely upset modern medicine, defied all known laws of nature and utterly dumfounded scientists and medical men. Physicians have sought out their worst cases and taken them to him, thinking they might find one he could not cure. They admit that all their own remedies are but bread pills as compared with the remarkable discovery of this wonderful man. He has already done practically everything but bring the dead to

The any case said person shall have left upon him then, on the death of the most of the said regular than the said person of th

eagle that was presented by Gen. Gibbon to the 12th W. Va. for its gallantry or that occasion."

Work of the Pension Office.

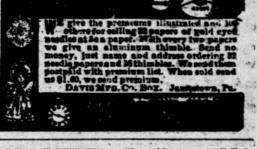
a column under McDowell, which was about to move from Fredericksburg towards Richmond. As this circumstance exercised a controlling influence on the campaign, and powerfully affected its character, and results, I shall enter into its exposition at some length in the succeeding chapter.

(To be continued.)

23. The Confederates evacuated Yorktown on the night of May 3-4. Franklin's Division had just been disembarked from the transports, so that reembarkation was necessary, and it did not start till the morning of the 6th, and did not make the landing of the 6th, and did not make the landing of the first process.

increase, I; accrued, I. Total, 3. Navy Widows, etc.—Regular Establishment: Orig

I will pay Spot Cash for Land Warri







Homes in the South

SOUTHERN RAILWAY.

